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10 Attorneys for uCool, Inc.

11 UNITED STATES DISTRICT COURT
12
13 NORTHERN DISTRICT OF CALIFORNIA
14
15 SAN FRANCISCO DIVISION

16 Blizzard Entertainment, Inc., and Valve
Corporation,

17 Plaintiffs,

18 v.

19 Lilith Games (Shanghai) Co. Ltd., uCool, Inc.,
and uCool Ltd.,

20 Defendants.
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CASE NO. 3:15-cv-04084-CRB

The Honorable Charles R. Breyer

**STIPULATION AND ~~PROPOSED~~
ORDER EXTENDING TIME FOR
COMPLETION OF DOTA OWNERSHIP
DISCOVERY AND CONTINUANCE OF
BRIEFING AND HEARING SCHEDULE
ON PARTIAL MOTION FOR
SUMMARY JUDGMENT**

1 Defendant uCool, Inc. (“uCool”) and Plaintiffs Blizzard Entertainment, Inc. and Valve
2 Corporation (collectively “Plaintiffs”), by and through their respective attorneys, hereby submit
3 the following Joint Stipulation, as follows:

4 WHEREAS, on February 8, 2016 uCool filed a Motion to Dismiss Plaintiffs’ First
5 Amended Complaint, which Motion was heard on April 8, 2016;

6 WHEREAS, the Court denied the Motion to Dismiss, but permitted uCool to file a Motion
7 for Partial Summary Judgment on the issue of abandonment and ownership of “Defense of the
8 Ancients” (“DotA”);

9 WHEREAS, on April 21, 2016, the Court ordered discovery staged as to the issue of DotA
10 ownership in order to allow uCool to file a Motion for Partial Summary Judgment;

11 WHEREAS, on August 15, 2016 the Parties stipulated to a schedule for the completion of
12 DotA ownership discovery and the briefing of uCool’s motion for partial summary judgment,
13 which schedule set the close of DotA Ownership discovery on September 30, 2016;

14 WHEREAS, the Parties have been actively engaged in discovery concerning DotA
15 ownership but were unable to complete that discovery by September 30, 2016;

16 WHEREAS, uCool seeks to take one additional deposition related to DotA ownership,
17 which deposition has not yet been scheduled as of this filing, and to seek relief regarding
18 Plaintiffs’ DotA ownership related deposition and other discovery responses;

19 WHEREAS, Plaintiffs seek to take two depositions concerning the issue of DotA
20 ownership, which depositions have not yet been scheduled as of this filing;

21 WHEREAS Plaintiffs and uCool have met and conferred and have agreed that they would
22 benefit from a modest extension of the DotA ownership discovery and partial summary judgment
23 briefing schedule to allow the parties to complete up to three depositions, for Plaintiffs to
24 complete their DotA ownership document productions and for uCool to seek DotA ownership
25 discovery related relief;

26 WHEREAS, Plaintiffs and uCool further agree that absent further agreement between the
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parties or Court order, other than the remaining discovery described herein and the parties' continuing obligation to supplement discovery under the Federal Rules of Civil Procedure, no additional depositions or written discovery regarding DotA ownership will be conducted in connection with uCool's motion for partial summary judgment;

NOW THEREFORE, it is hereby stipulated and agreed, and the Parties request that the Court enter an order extending the DotA ownership discovery and partial summary judgment motion briefing schedule as follows:

Event	Original Date	New Date
Last Day to Bring a Motion Seeking Discovery Relief Related to DotA Ownership	[none]	November 18, 2016
Deadline for uCool to File Motion for Partial Summary Judgment	October 19, 2016	November 21, 2016
Deadline for Plaintiffs to File Opposition to Motion for Partial Summary Judgment	November 11, 2016	December 22, 2016
Deadline for uCool to File Reply in Support of Motion for Partial Summary Judgment	November 23, 2016	January 13, 2016
Hearing on uCool's Motion for Partial Summary Judgment	December 16, 2016	February 3, 2016 or as soon thereafter as the Court's calendar permits

1 SO STIPULATED AND AGREE.

2 Respectfully submitted,

Respectfully submitted,

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4
5 By: /s/ Evette D. Pennypacker
6 Evette D. Pennypacker
7 QUINN EMANUEL
8 URQUHART & SULLIVAN LLP
9 Attorneys for Defendant
10 uCool, Inc.

By: /s/ Marc E. Mayer
Marc E. Mayer
MITCHELL SILBERBERG & KNUPP
LLP
Attorneys for Plaintiffs Blizzard
Entertainment, Inc. and Valve
Corporation
Dated: October 17, 2016

11
12 **SIGNATURE ATTESTATION**

13 Pursuant to Local Rule 5-1(i)(3), I attest under penalty of perjury that concurrence in the
14 filing of this document has been obtained from Marc E. Mayer.

15 By: /s/ Evette D. Pennypacker.

16 Dated: October 17, 2016
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~~PROPOSED~~ ORDER

The extension sought in the Joint Stipulation of uCool, Inc. and Plaintiffs, filed on October 17, 2016, is hereby GRANTED.

The Court hereby extends the current discovery and briefing deadlines as follows:

Event	Original Date	New Date
Last Day to Bring a Motion Seeking Discovery Relief Related to DotA Ownership	[none]	November 18, 2016
Deadline for uCool to File Motion for Partial Summary Judgment	October 19, 2016	November 21, 2016
Deadline for Plaintiffs to File Opposition to Motion for Partial Summary Judgment	November 11, 2016	December 22, 2016
Deadline for uCool to File Reply in Support of Motion for Partial Summary Judgment	November 23, 2016	January 13, 2016
Hearing on uCool's Motion for Partial Summary Judgment	December 16, 2016	February 3, 2016 or as soon thereafter as the Court's calendar permits

IT IS SO ORDERED.

DATED: October 18, 2016



Honorable Charles R. Breyer
UNITED STATES DISTRICT COURT JUDGE